

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSE ISAIAS CABRERA,

Plaintiff,

v.

FRANCES KOCIJANSKI, *et al.*,

Defendants.

Case No. 3:19-cv-00200-MMD-CSD

ORDER

Pro se Plaintiff Jose Isaias Cabrera brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Craig S. Denney (ECF No. 55), recommending the Court grant Defendants’ motion to dismiss (ECF No. 52) because Cabrera failed to effectuate proper service even after a prior court order ordered him to do so. Plaintiff had until November 21, 2022, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, and will dismiss this case without prejudice.

Because there is no objection, the Court need not conduct *de novo* review, and is satisfied Judge Denney did not clearly err. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Denney recommends granting Defendants’ motion and dismissing this case without prejudice because Cabrera missed the deadline the Court set in a prior order to properly serve Defendants. (ECF No. 55.) The Court agrees with Judge Denney. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

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1 It is therefore ordered that Judge Denney's Report and Recommendation (ECF
2 No. 55) is accepted and adopted in full.

3 It is further ordered that Defendants' motion to dismiss (ECF No. 52) is granted.

4 It is further ordered that this case is dismissed, in its entirety, without prejudice.

5 The Clerk of Court is directed to enter judgment accordingly and close this case.

6 DATED THIS 28th Day of November 2022.

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10 MIRANDA M. DU
11 CHIEF UNITED STATES DISTRICT JUDGE
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